

State of Wisconsin



2013 Assembly Joint Resolution 2

ENROLLED JOINT RESOLUTION

To renumber section 9 of article IV; and *to create* section 9 (2) of article IV and section 11 of article VIII of the constitution; **relating to:** creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund (second consideration).

Whereas, the 2011 legislature in regular session considered a proposed amendment to the constitution in 2011 Senate Joint Resolution 23, which became 2011 Enrolled Joint Resolution 4, and agreed to it by a majority of the members elected to each of the two houses, which proposed amendment reads as follows:

SECTION 1. Section 9 of article IV of the constitution is renumbered section 9 (1) of article IV.

SECTION 2. Section 9 (2) of article IV of the constitution is created to read:
[Article IV] Section 9 (2) The legislature shall provide by law for the establishment of a department of transportation and a transportation fund.

SECTION 3. Section 11 of article VIII of the constitution is created to read:
[Article VIII] Section 11. All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges, and from taxes and fees levied or imposed for aircraft, airline property, or aviation fuel or for railroads or railroad property shall be deposited only into the transportation fund or with a trustee for the benefit of the department of transportation or the holders of transportation-related revenue bonds, except for collections from taxes or fees in existence on December 31, 2010, that were not being deposited in the transportation fund on that date. None of the funds collected or received

by the state from any source and deposited into the transportation fund shall be lapsed, further transferred, or appropriated to any program that is not directly administered by the department of transportation in furtherance of the department's responsibility for the planning, promotion, and protection of all transportation systems in the state except for programs for which there was an appropriation from the transportation fund on December 31, 2010. In this section, the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or watercraft.

SECTION 4. Numbering of new provision. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

Now, therefore, be it resolved by the assembly, the senate concurring, That the foregoing proposed amendment to the constitution is agreed to by the 2013 legislature; and, be it further

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the Tuesday after the first Monday in November 2014; and, be it further

Resolved, That the question concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: "Creation of a Transportation Fund. Shall section 9 (2) of article IV and section 11 of article VIII of the constitution be created to require that revenues generated by use of the state transportation system be deposited into a transportation fund administered by a department of transportation for the exclusive purpose of funding Wisconsin's transportation systems and to prohibit any transfers or lapses from this fund?"

Senator Michael G. Ellis
President of the Senate

Representative Robin J. Vos
Speaker of the Assembly

Date

Patrick E. Fuller
Assembly Chief Clerk

2013 Assembly Joint Resolution 2 (LRB -0989)

To renumber section 9 of article IV; and to create section 9 (2) of article IV and section 11 of article VIII of the constitution; relating to: creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund (second consideration).

2013

01-18.	A.	Introduced by Representatives Ripp, Kahl, August, Bernier, Bies, Brooks, Czaja, Danou, Doyle, Endsley, Honadel, Jacque, Jorgensen, Kaufert, Kerkman, Kestell, Klenke, LeMahieu, T. Larson, Marklein, Murphy, Mursau, Nerison, Nygren, A. Ott, Petersen, Petryk, Pridemore, Schraa, Smith, Spiros, Stone, Steineke, Strachota, Tauchen, Thiesfeldt, Tittl, Tranel, Weininger, Zepnick and Ballweg ; cosponsored by Senators Petrowski, Carpenter, Lazich, Farrow, Gudex, Harsdorf, Kedzie, Lasee, Leibham, Moulton, Olsen, Schultz and Darling.	24
01-18.	A.	Read first time and referred to Committee on Transportation	24
01-29.	A.	Public hearing held	
01-29.	A.	Executive action taken	
01-29.	A.	Assembly Amendment 1 offered by Committee on Transportation (LRB a0041)	27
01-30.	A.	Report Assembly Amendment 1 introduction and adoption recommended by committee on Transportation, Ayes 15, Noes 0	28
01-30.	A.	Report adoption as amended recommended by Committee on Transportation, Ayes 15, Noes 0	28
01-30.	A.	Referred to committee on Rules	28
02-07.	A.	Placed on calendar 2-12-2013 by Committee on Rules	
02-12.	A.	Read a second time	37
02-12.	A.	Assembly Substitute Amendment 1 offered by Representatives Pasch, Mason, Richards, Riemer, Kolste, Hesselbein, Sargent, Goyke, Johnson, Wachs, Ohnstad, Bewley, Ringhand, Taylor, Billings, Clark, Bernard Schaber, Zamarripa, Hebl, Berceau, Sinicki, Pope, Kahl, Danou and Doyle (LRB s0010)	36
02-12.	A.	Assembly Substitute Amendment 1 withdrawn and returned to author	37
02-12.	A.	Assembly Amendment 1 adopted	37
02-12.	A.	Ordered to a third reading	38
02-12.	A.	Rules suspended	38
02-14.	A.	Read a third time and adopted , Ayes 82, Noes 13, Paired 2	
02-12.	A.	Ordered immediately messaged	38
02-12.	S.	Received from Assembly	65
02-13.	S.	Read first time and referred to committee on Senate Organization	67
02-13.	S.	Available for scheduling	
02-19.	S.	Placed on calendar 2-20-2013 pursuant to Senate Rule 18(1)	
02-20.	S.	Senate Substitute Amendment 1 offered by Senators Cullen, Wirch, Risser, Larson, Hansen, Harris, Lehman and Erpenbach (LRB s0011)	
02-20.	S.	Read a second time	
02-20.	S.	Senate Substitute Amendment 1 laid on table, Ayes 19, Noes 14	
02-20.	S.	Ordered to a third reading	
02-20.	S.	Rules suspended	
02-20.	S.	Read a third time and concurred in , Ayes 25, Noes 8	
02-20.	S.	Ordered immediately messaged	
02-20.	A.	Received from Senate concurred in	

2013

Joint Resolution Passed by Both Houses

ENROLL JOINT RES

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ADOPTED DOCUMENTS:

☒ Orig ☐ SubAmdt

13 - 0989 / 2

Amendments to above (if none, write "NONE"):

AA1 - 20041/1

Corrections - show date (if none, write "NONE"):

NONE

Topic

Rel

2-21-13

Date

JR Miller

Drafter

ELECTRONIC PROCEDURE:

Follow automatic or manual enrolling procedures in *TEXT2000 Reference Guide*, Document Specific Procedures, Ch. 20, Engrossing and Enrolling

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- Legislative editors 1 copy each
- LPS file 1 copy
- Index librarian 1 copy
- Revising attorney 1 copy

HOUSE OF ORIGIN:

- Secretary of State's envelope containing 4 copies plus newspaper notice
- Original and all remaining copies plus bill jacket



2013 ASSEMBLY JOINT RESOLUTION 2

January 18, 2013 – Introduced by Representatives RIPP, KAHL, AUGUST, BERNIER, BIES, BROOKS, CZAJA, DANOU, DOYLE, ENDSLEY, HONADEL, JACQUE, JORGENSEN, KAUFERT, KERKMAN, KESTELL, KLENKE, LEMAHIEU, T. LARSON, MARKLEIN, MURPHY, MURSAU, NERISON, NYGREN, A. OTT, PETERSEN, PETRYK, PRIDEMORE, SCHRAA, SMITH, SPIROS, STONE, STEINEKE, STRACHOTA, TAUCHEN, THIESFELDT, TITTL, TRANEL, WEININGER, ZEPNICK and BALLWEG, cosponsored by Senators PETROWSKI, CARPENTER, LAZICH, FARROW, GUDEx, HARS DORF, KEDZIE, LASEE, LEIBHAM, MOULTON, OLSEN, SCHULTZ and DARLING. Referred to Committee on Transportation.

- 1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV and
2 section 11 of article VIII of the constitution; **relating to:** creation of a
3 department of transportation, creation of a transportation fund, and deposit of
4 funds into the transportation fund (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2013 legislature for submittal to the voters in November 2014, was first considered by the 2011 legislature in 2011 Senate Joint Resolution 23, which became 2011 Enrolled Joint Resolution 4.

The amendment requires that the revenues generated by use of the state transportation system be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second

consideration, it must also set the date for submitting the proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1 Whereas, the 2011 legislature in regular session considered a proposed
2 amendment to the constitution in 2011 Senate Joint Resolution 23, which became
3 2011 Enrolled Joint Resolution 4, and agreed to it by a majority of the members
4 elected to each of the two houses, which proposed amendment reads as follows:

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2 ***That*** the foregoing proposed amendment to the constitution is agreed to by the 2013
3 legislature; and, be it further

4 ***Resolved, That*** the foregoing proposed amendment to the constitution be
5 submitted to a vote of the people at the election to be held on the Tuesday after the
6 first Monday in November 2014; and, be it further

7 ***Resolved, That*** the question concerning ratification of the foregoing proposed
8 amendment to the constitution be stated on the ballot as follows:

9 **QUESTION 1: "Creation of a Transportation Fund.** Shall section 9 (2) of
10 article IV and section 11 of article VIII of the constitution be created to create a
11 department of transportation and a transportation fund and require all revenues
12 generated by the state transportation system to be deposited into the transportation
13 fund?"

14 (END)

INS AA1-1



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa0041/1
SRM:wlj:jm

ASSEMBLY AMENDMENT 1,
TO ASSEMBLY JOINT RESOLUTION 2

January 29, 2013 - Offered by COMMITTEE ON TRANSPORTATION.

1 At the locations indicated, amend the joint resolution as follows:

2 1. Page 3, line 9: delete lines 9 to 13 and substitute:

INS AAI-1

3 "QUESTION 1: **Creation of a Transportation Fund.** Shall section 9 (2) of
4 article IV and section 11 of article VIII of the constitution be created to require that
5 revenues generated by use of the state transportation system be deposited into a
6 transportation fund administered by a department of transportation for the
7 exclusive purpose of funding Wisconsin's transportation systems and to prohibit any
8 transfers or lapses from this fund?"

9 (END)